

ITEM # 11

From: Rex W
Sent: Thursday, June 27, 2019 9:57 AM
To: Hufendick, Jason
Cc: Fail, Garrett
Subject: Re: Lehman - Proposed Order

Jason,

Very well. I am going to appeal. It's on the transcripts.

Thanks,

Rex

Rex Wu
Mobile: (312) 785-0348

Sent via my mobile device

From: Hufendick, Jason <Jason.Hufendick@weil.com>
Sent: Thursday, June 27, 2019 9:28:08 AM
To: Rex W
Cc: Fail, Garrett
Subject: RE: Lehman - Proposed Order

Rex,

We do not believe your proposed text is accurate or appropriate. We will be submitting the order as we drafted it and will copy you on the correspondence to chambers after we circulate a copy to the joinder parties.

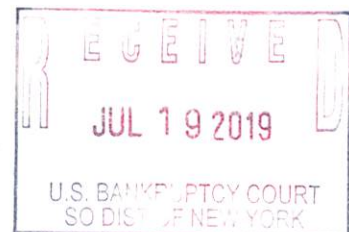
Best,
Jason

From: Rex W <rex_wu@live.com>
Sent: Thursday, June 27, 2019 1:08 AM
To: Hufendick, Jason <Jason.Hufendick@weil.com>
Cc: Fail, Garrett <Garrett.Fail@weil.com>
Subject: Re: Lehman - Proposed Order

Hello Jason and Garrett,

I would like to add the below to the order. It matches what Garrett said during the hearing on the transcript.

ORDERED that LBHI's Capital Trust Preferred Securities are parity with the ECAPS' Preferred Securities per LBHI's relevant prospectuses and with



a securities holder's, prior to purchase, knowledge of and reliance on the general guarantee.

Thanks,

Rex

Rex Wu

Mobile: (312) 785-0348

Sent via my mobile device

From: Hufendick, Jason
Sent: Wednesday, June 26, 7:08 PM
Subject: RE: Lehman - Proposed Order
To: Rex W
Cc: Fail, Garrett

Rex,

In the Bankruptcy Court's ruling, the Judge specially requested that "[t]he order should reflect my ruling and indicate that for the reasons more fully described on the record of the hearing." This quote can be found at pg. 90 of the transcript that I circulated earlier.

In your email below, I believe the orders you are referring to are certain memorandum opinions or other written rulings from the Bankruptcy Court. The parties would not draft such an opinion or ruling for the Bankruptcy Court.

We are, of course, happy to consider any language you would like to propose to the order.

From: Rex W <rex_wu@live.com>
Sent: Wednesday, June 26, 2019 7:05 PM
To: Hufendick, Jason <Jason.Hufendick@weil.com>
Cc: Fail, Garrett <Garrett.Fail@weil.com>
Subject: Re: Lehman - Proposed Order

Hello Jason,

I read orders from Honorable Judge Chapman that lists what each side argued and then she rules afterwards and explains why she ruled as she did.

I want to be clear on how Honorable Judge Chapman rules on the parity issue in regards to the ECAPS and LBIE. Those are important to me.

Isn't this supposed to be the same format for this order? That was what I was expecting. I have not gotten a chance to look at the transcript yet. I will look at it this evening. I will be in touch shortly. Thank you.

Have a good evening,

Rex

Rex Wu

Mobile: (312) 785-0348

Sent via my mobile device

From: Hufendick, Jason
Sent: Wednesday, June 26, 5:14 PM
Subject: RE: Lehman - Proposed Order
To: Rex W
Cc: Fail, Garrett

Rex, thank you for your quick response. The proposed order incorporates the Court's full ruling which occurred on the record:

"after due deliberation and for the reasons stated by the Court in its bench ruling at the Hearing, which are incorporated as if set forth herein and made part hereof"

I think the Court will be expecting an order that simply incorporates the findings by reference, rather than highlighting only a few particular reasons. I've attached a copy of the transcript from the hearing to this email for reference, if you would like to refer to it.

We are happy to discuss further if you disagree. Thank you.

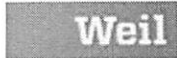
From: Rex W <rex_wu@live.com>
Sent: Wednesday, June 26, 2019 11:57 AM
To: Hufendick, Jason <Jason.Hufendick@weil.com>
Cc: Fail, Garrett <Garrett.Fail@weil.com>
Subject: Re: Lehman - Proposed Order

Hello Jason and Garrett,
The order is shorter than I have thought. I was planning to read it over dinner. I have two comments. These were discussed in the hearing.
1. We discussed about the parity of the CTs with the ECAPs. That was brought up. I had thought it was said that it was not. That should be included if that was the case because it will put the issue to rest.
2. Same with LBIE. That was also brought up with me stating that we are in parity with LBIE's preference shares that were paid out. That was also not agreed. That should be placed on the order to also put that to rest.
Those two are my only points. I believe they were ruled against, so let's put it on there.
Thanks again for the email.
Best,
Rex
Rex Wu
Mobile: (312) 785-0348
Sent via my mobile device

From: Hufendick, Jason
Sent: Wednesday, June 26, 9:50 AM
Subject: Lehman - Proposed Order
To: Rex_Wu@Live.com
Cc: Fail, Garrett
Mr. Rex Wu,

As requested by the Bankruptcy Court at the hearing, please see attached a draft of the proposed order. Please let us know if you agree with the wording of the draft, or would like to propose any changes. If not, we will send the attached draft to the Bankruptcy Court. Thank you.

Best,
Jason



Jason Hufendick
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